

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND,
and HOWARD McDOUGALL, trustee,

Plaintiffs,

v.

SYNERGY LOGISTICS, LLC,
an Indiana limited liability company;
AAA WAREHOUSE LOGISTICS
CORPORATION,
an Indiana corporation;
GOODWOOD & STONE
CONSTRUCTION, Inc.,
an Indiana corporation;
THE L GROUP, LLC,
an Indiana limited liability company;
THE LARMAN COMPANY,
an Indiana corporation;
LARMAN PROPERTIES, L.P.,
an Indiana limited partnership;
ST. CLAIR PROPERTIES, L.P.,
an Indiana limited partnership;
STOUT FIELD PROPERTIES, LLC,
an Indiana limited liability company; and
SYNERGY FREIGHT SERVICES, LLC,
an Indiana limited liability company,

Defendants.

Case No. 07 C 0773

Honorable Milton I. Shadur
District Judge

**MOTION FOR ENTRY OF JUDGMENT AGAINST
AUDREY LARMAN AS GENERAL PARTNER OF LARMAN
PROPERTIES PURSUANT TO RULE 69 OF THE F.R.CIV.P.**

Plaintiffs Central States, Southeast and Southwest Areas Pension Fund and Howard McDougall, trustee, (collectively referred to as the "Pension Fund"), pursuant to Rule 69 of the Federal Rules of Civil Procedure and IC § 23-16-5-3, hereby move this Court for

entry of an order of judgment against Audrey Larman. In support thereof, Plaintiffs state as follows:

1. On May 1, 2007, this Court entered a Default Judgment in the amount of \$927,597.29 in favor of Plaintiffs and against Defendants Synergy Logistics, LLC, an Indiana limited liability company; AAA Warehouse Logistics Corporation, an Indiana corporation; Goodwood & Stone Construction, Inc., an Indiana corporation; The L Group, LLC, an Indiana limited liability company; The Larman Company, an Indiana corporation; Larman Properties, L.P., an Indiana limited partnership ("Larman Properties"); St. Clair Properties, L.P., an Indiana limited partnership; Stout Field Properties, LLC, an Indiana limited liability company; and Synergy Freight Services, LLC, an Indiana limited liability company. (A true and genuine copy of the Default Judgment is attached hereto as Exhibit 1).

2. To date, the full amount of the Default Judgment remains due and owing by Defendants in the amount of \$927,597.29 plus post-judgment interest in the amount of \$111,118.42.

3. Larman Properties is an Indiana limited partnership with its principal place of business located in the State of Florida.

4. Audrey Larman is the general partner of Larman Properties and, as such, Audrey Larman is liable, jointly and severally, for the debts of Larman Properties pursuant to the Revised Uniform Limited Partnership Act of Indiana, IC § 23-16-5-3. (A true and genuine copy of the Affidavit of Charles Larman is attached hereto as Exhibit 7; a true and genuine copy of the Affidavit of Audrey Larman is attached hereto as Exhibit 8; a true and genuine copy of the Certificate of Limited Partnership and Partnership Agreement for Larman Properties is attached hereto as Exhibit 9).

5. The Court may enter a supplemental judgment against Audrey Larman because Audrey Larman, as general partner of Larman Properties, is jointly and severally liable for the judgment against Larman Properties as a matter of law.

6. Pursuant to Rule 69 of the Federal Rules of Civil Procedure and 735 ILCS 5/2-1402(c)(3), Plaintiffs respectfully request that this Court enter judgment against Audrey Larman in the amount of \$927,597.29 plus post-judgment interest in the amount of \$111,118.42.

WHEREFORE, Plaintiffs Central States, Southeast and Southwest Areas Pension Fund and Howard McDougall, one of its present Trustees, request the following relief:

A. A judgment in favor of Plaintiffs and against Audrey Larman in the amount of \$1,038,715.70; and

B. For such other or different relief as this Court may deem proper and just.

Respectfully submitted,

/s/ Anthony E. Napoli
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